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Principles Governing Training for Rehabilitation

SIGNIFICANCE OF P.C. 5210
(FORMERLY P.C. 7633)

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PRINCIPLES GOVERNING TRAINING FOR REHABILITATION

SIGNIFICANCE OF P.C. 5210
(FORMERLY P.C. 7633)

I. Purpose of this Manual

The present statement is a tentative digest of the main principles underlying training for rehabilitation. This synopsis seeks to portray the highest common factor of agreement on social policy concerning the training of discharged persons with the object of facilitating their re-entry into civil life. General adoption of these principles will, it is hoped, result in a consensus of sound practice relative to rehabilitation matters.

II. General Purport of P.C. 5210

(Formerly P.C. 7633)

Rehabilitation vs. General Education; P.C. 5210 vs. Section 93, B.N.A. Act.

Order in Council (P.C. 5210) is based on two main principles both of which are implicit in its provisions: namely:—Rehabilitation is primarily an opportunity for re-establishment in civil life rather than a reward for service. This principle is amplified in the following section (Equity of Rehabilitation). In the second place, P.C. 5210 envisages **Rehabilitation** (with special regard to training procedures) as in a separate category from **General Education** defined under Section 93

15574—1½

of the B.N.A. Act. This distinction, as will be seen from the following discussion, is an important one both from the point of view of jurisdiction and of training problems,—such as types of organization, their relation to provincial school facilities, administrative procedures and similar matters.

It is a truism, yet an important one, to say that public education, under Section 93 of the B.N.A. Act, falls within the exclusive jurisdiction of provincial governments. Nor was it ever intended that P.C. 5210 should infringe, in the slightest degree, upon the educational autonomy of the Provinces.

P.C. 5210 is in reality an emergency enactment under the War Measures Act, designed to assist in the re-establishment in civil life of those who answered the call of their country in the hour of its dire need. Whether or not federal assistance to the Provinces for agricultural, technical or other education has been provided, or should be provided on a larger scale than hitherto, is entirely irrelevant to the spirit and operation of this emergency measure which, as already stated, carefully avoids any invasion of the provincial field. In its operation, however, federal officials will welcome the opportunity, in order to avoid unnecessary expense and duplication of training facilities, of using provincial educational plant and personnel where the latter are conveniently and economically available. The Order, for instance, envisages no practice of making educational grants, as such, to provincial, municipal or university authorities, whether for capital or current expenditures, or of prescribing curricula or training procedures other than for the sole and specific purposes of rehabilitation. Indeed, in the latter case it would be more correct to say that, while the federal authorities make no claim to "prescribing", especially with reference to academic education, they do

reserve the right to "approve" training programmes as a condition precedent to the giving of grants to trainees. The right to such reservation is a logical correlate of the responsibility imposed on federal officers by P.C. 5210.

Objective is Re-establishment—

In the case of university, as of vocational education, the direct objective of P.C. 5210 is re-establishment. The fact that certain by-products of these training provisions—e.g. health, citizenship, worthy use of leisure, character—are the same as those of general education is merely a coincidence. The point is that, under the Order, the discharged person is not entitled, as of right, to greater assistance than that necessary for his re-establishment in civil life or in that status in civil life, that, within reasonable limits, he would probably have attained had his career not been interrupted by military service.

Border-line cases will inevitably occur and these should be given the benefit of every reasonable doubt. It does not follow, however, either in justice or equity, that these persons are entitled to courses of training out of line with their mental capacities or incompatible with their physical or mental condition. The fact that they did their duty to their country in its hour of dire need—and thus become eligible for specific benefits necessary to their reabsorption in civil life—does not absolve them from the correlative duties of citizenship in time of peace. And the great majority of these youths do not seek special privileges. They do not expect largesse but justice. In so far as possible they ask for the same privileges and training opportunities as would have been theirs had they honourably remained in civil life while others fought the Hun.

The point worthy of emphasis is that P.C. 5210 represents no change in Canadian policy in respect of education,—including adult education. It imposes no disabilities and confers no privileges on prospective trainees or on educational bodies inconsistent with Section 93, B.N.A. Act. The ministrations of federal authorities under the Order are defined and limited by the rehabilitation needs of discharged persons whose civil life was disrupted by military service and who seek reinstatement on the normal occupational highway open to civilians. In the process of assisting in the rehabilitation of these persons it cannot be too strongly emphasized that there is not, nor will there be, any intrusion by federal authorities in the provincial educational domain.

III. The Equity of Rehabilitation

After the foregoing discussion it may be helpful to submit a more formal statement on the equity of rehabilitation. For it is largely on a reasonable interpretation of this principle that intelligent administration of P.C. 5210 must be based.

In a state, such as Canada, the individual is assumed to be entitled to certain inalienable rights, as an individual, and also to be accountable for certain correlative obligations. The principle of equality of opportunity—of life, liberty, and the pursuit of happiness—is counter-balanced by that of equality of sacrifice. Of course, it is obvious that there cannot be complete equality either of opportunity or of sacrifice, whether in peace or war. This ideal, however, in civilized communities is capable of approximation if never of complete attainment.

What is Involved—

Now the principle of equality of sacrifice involves, in theory at least, the maintenance of an equilibrium of rights and duties as among the members of a democratic community. The assumption is that "no citizen should be required to make greater sacrifices than his fellows to the state." By the same token, *"when the services required by the community of an individual involve an injury greater than the sacrifice required of all members of the community, the obligation arises for the community to distribute over all its members the burden of the injury in question in order to restore the equality of sacrifice." In an absolute sense, it is obvious that the members of any community cannot, in many cases,—e.g. blindness—restore complete equality of sacrifice by the payment of monetary or other benefits to those who have suffered severe war disabilities; however, the attempt at adequate compensation, such as is symbolized by the terms of P.C. 5210, is perhaps a reasonable approach to the desired objective. Those, in a word, who are not called upon to fight, compensate for the vicarious disabilities suffered by those able to enlist in the Services. From this point of view, P.C. 5210 or similar legislation is a compensation measure designed to make good, in part at least, to discharged persons losses of a certain type—such as for broken education—attributable to war service; and those qualifying under the terms of the Order are considered to have a claim to compensation that is derived from their rights as individuals.

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* See International Labour Office, Series E, The Disabled—No. 6.

IV. Training on the Job

It has already been pointed out that the chief objective of rehabilitation programmes is the specific job at the end of the training; whereas in general education the process of training assumes a relatively major importance. Even in the latter case, however, preparation for an occupation is no longer considered, in this realistic world, an ignoble aim.

It is perhaps axiomatic to state that trainees should be placed in industries where they will probably be employed on the completion of training. True it may be that in some well-equipped plants more employees might be trained than could reasonably be absorbed therein at the end of their training. In such cases, however, arrangements for the ultimate employment of trainees should be made before the completion of their courses. For the above reasons industry should collaborate fully with rehabilitation officials in at least three (3) major phases of training:

(1) **Selection and Sponsorship of Trainees:—**

As implied above, the latter should be of the type suited to jobs likely to be available on the completion of training;

(2) **Curricula and Instruction:—**

It should scarcely be necessary to observe that enough theory should be introduced to make practice reasonably effective. In other words, great care should be taken to ensure that training is adequate. Something more than mere practice is involved in adequacy.

(3) **Placement, and if advisable, Retraining or further Training:—**

As already stated, training should be for a specific job or occupation and it is desirable to know in advance the job for which the trainee is being prepared. Changes however, both in the intentions and abilities of the trainee and in types of jobs available may indicate the need for additional training, whether to improve the status of the trainee or to enhance the output of his work, or probably for both purposes.

V. Training on the Job vs. Training in Schools

There is a consensus of opinion among business executives, as among psychologists, that training in plant schools—which are not "formal" schools but do provide a measure of instruction in addition to supervision of trainees by plant foremen or supervisors—and corresponding training in regular vocational schools, as administered by boards of trustees, are complementary. After the last war over fifty (50) per cent of those given vocational training were trained, with fair success, in industrial and commercial establishments. Moreover psychologists agree that over eighty (80) per cent. of the simpler skills are best learned on the job with supplementary training, if feasible, in the plant school or in the local vocational school.

According to the majority of industrialists, whose opinions are based on solid experience, the chief attribute of the vocational school is that it provides "general training (theory plus shop work)" in a reasonably efficient manner. This basic or "background" training is alleged to be "more con-

centrated and thorough" than the training provided solely on the job. These views are in conformity with those of industrial psychologists who recommend that both types of training should be used wherever feasible. For example, as intimated above, in some cases those learning on the job in the daytime might avail themselves of the opportunity to attend late afternoon or evening classes in the local vocational or technical school.

VI. Common Sense and Counselling

Counselling within the Armed Services is being developed. In due course a booklet on the Department's vocational guidance programme will probably be issued. At the present time it may be sufficient to refer to some of the principles that are fundamental in any sound guidance organization.

The need for guidance is self-evident. Out of the first 347,900 men who enlisted in the Armed Services only 27,000 had definite choices of occupations after their discharge. About 212,000 had preferences but no specific choices; while 108,000 had neither choices nor preferences. As a result of their training and experiences while in the Services, many of these men will have changed both their intentions and their skills. Perhaps half of them will return to their former jobs or to other jobs awaiting them, while many others will prefer not to avail themselves of counselling services. Border-line or problem cases, however, as well as those seeking guidance in preparing for their life callings, will probably constitute a sufficient number to tax the resources of the Department's counselling services.

It is the intention of the Department, and concrete steps in this regard have already been taken, to have available at

the various discharge centres an adequate number of competent guidance personnel. These counsellors obviously need training which fortunately can be acquired. But they also need, at least in equal degree, common sense which is a gift of nature rather than a scholastic acquisition. Of three indispensable attributes of the successful counsellor—training, experience, and common sense—the latter, and in as massive proportions as possible, is probably the most indispensable.

Must consider Limitations—

Limitations in intelligence imposed by heredity are as inexorable as those imposed by hereditary lack of common sense. For instance, a so-called "dull-normal", long on attractive physique but short on mathematical abilities or capacity for thinking, should be discouraged from registering in technical engineering, medical, legal or similar courses that require considerable powers of abstract reasoning. Even distinguished service does not, of itself, confer academic distinction. Bravery in the Services does not generate brains in the mastery of courses of training. And the counsellor who yields to the importunities of discharged youth, or who permits other undue pressures to distort his best judgment in offering vocational counsel, is doing a serious disservice to the prospective trainee. Mistaken indulgence or supineness in such matters may result in gross injustice to the trainee.

Ideally, of course, as is the case in the best of modern school systems, vocational guidance should be considered a vital aspect of general education;—that is, of education concerned with the living of a finer life as well as with the earning of a living. But the post-war situation will be an emergent one arising out of the crucial need for the early re-establishment of discharged youth. Thousands of the flower of Canada's

young manhood and womanhood will be anxious to achieve an even occupational keel at the earliest opportunity. They will be restive to get back to civil life and will chafe at any delays irrespective of their causes. So imminent indeed will these rehabilitation pressures probably become that vocational counsellors may, especially in the early months after the war ends, have time to deal with only one segment of the vocational guidance programme,—namely, that of occupational counselling. This does not mean that tests and other techniques will not be available, especially for problem and border-line cases and for those who desire a more thorough diagnosis than that represented by the trainees' service documents.

Should Encourage Employment—

Generally speaking, however, discharged persons who are fit and able to take suitable jobs should be encouraged to do so forthwith. Training on the job and in various commercial and financial institutions will probably serve, as already stated, as a rehabilitation outlet for perhaps half or more of the discharged persons. Such training, however, will entail considerable follow-up and supervisory procedures for probably three to six months after placement. All these services will require both group counselling, where feasible, and numerous personal interviews that will doubtless tax the time and capacities of a large counselling personnel if such activities are not to be unduly retarded or prolonged and if excessive maladjustments of trainees are to be avoided.

VII. The "Public Interest" and Rehabilitation

A perusal of P.C. 5210 indicates that, while benefits for discharged men and women under this Order are not to be regarded as deferred pay or as a reward for service but rather

as an opportunity for civil re-establishment, the Order in Council is based largely on considerations of equity. In marginal cases or in cases of doubt much is left—and rightly so—to the discretion of the Department of Veterans' Affairs. Just as the Court of Chancery (which administers equity) was originally instituted to temper the rigour of the common law, so the Minister of Veterans' Affairs is, at least by implication, charged with the paramount responsibility of exercising wide and salutary powers in the administration of this Order.

Closely allied to considerations of equity is that somewhat vague principle of the "public interest". For instance, under Section 9 (P.C. 5210) the Minister of Veterans' Affairs may, after consideration of the applicant's "attainments and his course," authorize the extension of training grants on the ground that the Minister "deems it in the **public interest** that he should continue such course . . .". Now any Minister ordinarily acts on the advice of his responsible officials. Hence it becomes the paramount duty of supervisors, counsellors, rehabilitation boards and officials of the Department of Veterans' Affairs—while zealously safeguarding the personal interests of the discharged person and giving him or her the benefit of every reasonable doubt—not to ignore the dictates of the "public interest". Theirs is the important responsibility of dispensing even-handed justice between Mr. John Q. Citizen, the taxpayer, and the prospective beneficiary of assistance under P.C. 5210. Hence it is clearly desirable that there should be some consensus among the above officials in respect of the main ingredients comprising that elusive doctrine of the "public interest".

Need Not Be Exclusive—

The "public interest" and the individual interest of the applicant need not be mutually exclusive. On the other hand, both the above interests may coincide, and, in fact, frequently do. For instance, in Canada there is a serious shortage of dentists. In the "public interest" the number of good dentists might well be increased by 200 per cent. Likewise, more doctors, engineers, public health nurses, social workers, highly qualified teachers, laboratory technicians, physiotherapists, trained agriculturists, skilled carpenters and similar people are needed. To train them would obviously advance the "public interest", provided the best type or a reasonably good type of material were selected for training. This training would also promote the individual interests of most of those so trained. Moreover, the social need may place a priority on the training of nurses or doctors, for example, in preference to training prospective members of some other professions. Also, social need, or "public interest", cannot safely be divorced from considerations of individual ambition and merit. Good intentions of prospective trainees to help their fellow humans by becoming competent dentists or nurses or teachers, for instance, are, while quite praiseworthy, often far from adequate. Determination to achieve must be supported by ability to achieve. In the "public interest" it is scarcely necessary to add that nurses, teachers, doctors, and trained personnel generally should possess the intelligence, capacity for achievement, character, initiative, qualities of leadership and social-mindedness that merit and usually attain success.

In the final analysis, any valid interpretation of "public interest" must place social need above individual preference. Generally speaking, it is not in the "public interest" to use

public funds in the attempt to train inferior or mediocre ability for highly skilled trades or the learned professions. Mediocre intelligence is scarcely competent to do advanced undergraduate or post-graduate work satisfactorily. Applicants for post-graduate training under Section 9 should be good scholarship material. They should be selected with the same discriminating judgment as universities and provincial departments of education use in selecting prospective scholarship holders.

Advice Is Important—

For instance, trainees should be advised—both in their own and in the "public interest"—not to attempt long, expensive, professional or technical courses unless the prospects for successful completion of these courses are favourable. In such cases, emotional bias too often takes precedence over sound judgment. The applicant should not attempt, for example, to graduate in medicine, dentistry, engineering or similar courses, unless he enjoys reasonably good health, has more than average powers of concentration and "stick-to-itiveness", high intelligence, good academic background, and some financial backing over and above grants that might be available under P.C. 5210.

Similar observations regarding the field of vocational training would also be relevant. Vocational training should not be considered merely as a matter of right under P.C. 5210—people of goodwill seldom seek tangible awards for doing their moral duty—but should also take into consideration the real welfare of the individual in question, e.g. his abilities, aptitudes, experience, educational background,

health, character and other determining factors that promote or retard success in an occupation.

If training or other benefits under P.C. 5210 were to be granted on the basis of rewards for military service, there should probably be, in theory at least, nearly a million gradations of such rewards,—i.e. one for each member of the Armed Forces as no two persons would have rendered exactly the same service.

It will be admitted by all public-spirited citizens that military or other service was never intended to confer, and does not confer, any inviolable privileges prejudicial to those of the community at large. And in the ultimate analysis the trainee will probably have reason to thank the wise and firm counsellor for curbing that vaulting and mistaken ambition that might easily have led the discharged person to make a faulty occupational choice and thus have retarded his or her civil re-establishment.

VIII. Summary

The main conclusions reached in the foregoing discussion may be summarized under the following heads:

1. Training under P.C. 5210 is definitely and directly concerned with (re) establishment of trainees in post-war jobs and should not be confused with general education as training covers only a segment of the general education field.

2. While P.C. 5210 is perhaps more comprehensive and generous in its provisions than any similar enactment, its terms,—while the trainee is entitled to the benefit of any

reasonable doubt,—should be interpreted primarily in the light of **justice** (the "public" interest, as well as the "private" interest of the trainee) rather than of generosity which may give undue regard to considerations of assumed "private" interest.

3. Industry should, in a general way, collaborate with rehabilitation officials in at least three (3) phases of training:—

(a) Selection and sponsorship of trainees for the specific industry concerned;

(b) Curricula and Instruction,—in order that the training may be more closely related to the practical needs of the industry in question and of similar industries;

(c) Placement of trainees and their subsequent supervision or retraining.

4. Training officials should use both industrial plants (including plant schools) and vocational schools. The proportions of relative use (i.e. plant training on the job and training in vocational schools) will vary in different communities. Probably well over half the trainees should be trained on the job; but supplementary use should also be made of vocational schools wherever feasible.

5. The successful vocational counsellor is ordinarily endowed with a massive common sense, sound training, and high moral courage. He should not forget his function as guardian of the "public" interest as well as of the private interest of the trainee. (These observations also apply to other rehabilitation officials.)

6. Rehabilitation should be regarded primarily as an opportunity—which, under conditions as explained in the above context, may also be considered a right—for establishment or re-establishment in a satisfactory post-war job. It should not be considered as a reward for military service.

IX. Appendix

Summary of Training Provisions of the Post-Discharge Re-establishment Order, P.C. 5210

UNIVERSITY TRAINING

I. Under-Graduate—(**Para. 8, P.C. 5210**)

The Minister has authority to approve training, including maintenance grant and fees—together with appropriate allowances for dependents—for any discharged person who has the aptitude and inclination and who:

(a) has been regularly admitted to a university before his discharge and resumes within one year and three months after discharge a course, academic or professional, interrupted by his service, or

(b) becomes regularly admitted to a university and commences any such course within one year and three months after his discharge, or

(c) because of ill health or because his admission to the university has been conditional upon his fulfilling some additional matriculation requirements or for any other good reason shown to the satisfaction of the Minister, delays resumption or commencement of such course beyond the aforementioned periods.

The period of assistance in university training is governed by the length of service. **Where progress is satisfactory the assistance may be continued for as many months, in university, as the man served in the Forces.** If the student's progress and **attainments** in his course are such that the Minister deems it in his interest and in the public interest, the payment of the grant may be extended beyond the period of service to permit the man to complete his course.

However, the grant shall not be continued to any such person who fails in more than two classes or subjects in any academic year, nor to any such person who having failed in either one or two classes or subjects also fails in either or both supplementary examinations next offered by the university in such classes or subjects.

II. Post-Graduate—(**Para. 9, P.C. 5210**)

In case any discharged person

(a) **has entered upon a post-graduate course, either academic or professional in a university before enlistment, or was about to do so at the time of his enlistment,** or, having completed his undergraduate course in a university after his discharge, enters upon a post-graduate course as aforesaid, and

(b) resumes or commences such post-graduate course within

(i) one year from his discharge, or

(ii) one year from the commencement, next following his discharge, of such course in such university, if his discharge precedes such commencement by not more than three months, or

(iii) in the case of a discharged person who completes his under-graduate course after his discharge, as soon as may be after such completion.

if the Minister having considered such person's attainments and his course, deems it in the public interest that he should continue such course, the Minister may, subject to the provisions of this Order, authorize the payment to such person of a maintenance grant and fees for as many months as he served. The assistance may be extended if the progress and **achievements** are so outstanding that it is in the public interest that the grant should be continued.

A candidate with a first degree, B.A., B.Sc., M.D., D.D.S., etc., who applies for further training, academic or professional, in his special field, shall be considered under Paragraph 9, Post-graduate Training.

Where a first degree is required for admission to a professional training school, or faculty, a candidate for such professional training shall be considered under Paragraph 8, Under-graduate Training.

Vocational, Technical, or Other Educational Training.

(Para. 6, P.C. 5210)

This makes provision for

(1) Resumption of education leading to high school graduation or university entrance.

(2) **"Refresher" or "brush-up" courses in the professions.**

The Minister has authority to approve training, including maintenance grant and fees—together with appropriate allowances for dependents—to any discharged person, provided he has the aptitude and inclination, where:

i. such person is pursuing vocational, technical or other educational training;

ii. the Minister approves such training as being training which will fit him or keep him fit for employment or re-employment or will enable him to obtain better or more suitable employment, and

iii. he makes progress in such training to the satisfaction of the Minister.

Note: The period of training is governed by the length of service. For most types of training the maximum will be twelve months. In instances where the required training exceeds twelve months grants may be continued for a period not exceeding the length of service. In no case shall grants be paid beyond the period of service except in the case of a disability pensioner.

MAINTENANCE GRANTS

Payment of a grant under paragraph 6, 8 or 9 of this Order, in a case where the discharged person is not in receipt of a pension, shall be in accordance with the rates set forth in Part II of the attached Schedule, **subject to reduction by such amount on account of any wages, salary or other income such person may have received or be entitled to receive in respect of the period for which such grant is paid, as to the Minister seems right.**

Payment of a grant under paragraph 6, 8 or 9 of this Order, in a case where the discharged person is in receipt of a pension, shall be in an amount which when added to the discharged person's pension, inclusive of additional pension, equals the rate set forth in Part III of the attached Schedule applicable to a discharged person of his status.

SCHEDULE OF MONTHLY RATES—(Paragraph 10)

—	Single No Dependents	Man and Wife	Children					
			One	Two	Three	Four	Five	Six
PART I. Out-of-Work Benefits, Awaiting Returns, and Temporary Incapacitation—Paragraphs 5 and 7								
	$50 00	$70 00	$82 00	$94 00	$104 00	$112 00	$120 00	$128 00
PART II. Vocational and Educational Training—Non-Pensioners—Paragraphs 6, 8 and 9.								
	60 00	80 00	92 00	104 00	114 00	122 00	130 00	138 00

SCHEDULE OF MONTHLY RATES—(Paragraph 10)—*Concluded*

—	Single No Dependents	Man and Wife	Children					
			One	Two	Three	Four	Five	Six
PART III. Vocational and Educational Training—Pensioners (Inclusive of pension)								
Percentage of Pensionable Disability								
5	61 50	81 50	93 50	105 50	115 50	123 50	131 50	139 50
10	63 00	83 00	95 00	107 00	117 00	125 00	133 00	141 00
15	64 50	84 50	96 50	108 50	118 50	126 50	134 50	142 50
20	66 00	86 00	98 00	110 00	120 00	128 00	136 00	144 00
25	67 50	87 50	99 50	111 50	121 50	129 50	137 50	145 50
30	69 00	89 00	101 00	113 00	123 00	131 00	139 00	147 00
35	70 50	90 50	102 50	114 50	124 50	132 50	140 50	148 50
40	72 00	92 00	104 00	116 00	126 00	134 00	142 00	150 00
45	73 50	93 50	105 50	117 50	127 50	135 50	143 50	151 50
50	75 00	95 00	107 00	119 00	129 00	137 00	145 00	153 00
55	76 50	96 50	108 50	120 50	130 50	138 50	146 50	154 50
60	78 00	98 00	110 00	122 00	132 00	140 00	148 00	156 00
65	79 50	99 50	111 50	123 50	133 50	141 50	149 50	157 50
70	81 00	101 00	113 00	125 00	135 00	143 00	151 00	159 00
75	82 50	102 50	114 50	126 50	136 50	144 50	152 50	160 50
80	84 00	104 00	116 00	128 00	138 00	146 00	154 00	162 00
85	89 25	110 50	123 25	135 25	145 25	153 25	161 50	170 00
90	94 50	117 00	130 50	142 50	152 50	161 50	170 50	179 50
95	99 75	123 50	137 75	149 75	159 75	169 25	178 75	188 25
100	105 00	130 00	145 00	157 00	167 00	177 00	187 00	197 00

Additional amount for person in lieu of wife: $20.00 per month (applicable to parts I, II and III)
Additional amount for dependent parent: $15.00 per month (applicable to parts I, II and III)